

Remarks

In a brief telephone interview with the undersigned on March 5, 2009, the examiner indicated that he recognized patentable subject matter and requested a more definitive rendition of the claimed invention by filing an informal amendment of claim. Following receipt of a voice mail from the examiner on April 1, 2009 stating that the proposed amendment overcame the prior art and requesting a more positive recitation in the 'wherein clause' and, a brief confirmatory telephone interview on April 2, 2009, the independent claims (1, 17 and 34) have been amended to emphasize that the text and data content of the automatically generated communication comprises at least one of an instruction to the recipient for handling a response to the communication and an indication of a medium of an associated communication, which is automatically changed depending on the characteristic of the chosen media so that differences between the instruction and indication are identifiable by the recipient of a communication.

Claim 36 has also been amended to specify that the at least one instruction and indication concerns a document associated with the communication.

These amendments are made without admission and without prejudice of the right to revert to previously submitted claim language in the present, or any continuing, application.

Claims 1 and 17 have also been reformatted to obviate the claim objections.

The distinctions from the prior art stated in prior responses are, in so far as relevant, incorporated herein.

The amendment to the final clause of the independent claims obviates the rejection under 35 USC 112, (as confirmed in the telephone interview). Notwithstanding, it is pointed out that proper basis for "information for possible action by a recipient" is found in the letter and email text of Figures 17 and 18, associated with the portions highlighted below. The prior rejection under 35 USC 112 is therefore inappropriate.

Basis for the present amendment is also found in the specification with reference to the drawings, particularly Figures 17 and 18 which disclose the display of the substantively different texts and data providing different information - both different instructions for handling a

response and different media/channel of an associated communication.

"the enclosed documents are for you to complete and sign" and

"I have sent the loan documents to you in the post"

according to the media/channel selected (mail or email).

Concerning the rejection of the claims under 35 USC 103, it is applicant's position that the Alam reference does not disclose or suggest any automatic change in instructions for response or, any automatic change in indication of a medium of an associated communication, according to characteristic of different chosen media of communication to the recipient, as now claimed in the independent claims, such changed instructions or indication being exemplified above. Alam teaches only fax to email routing and conversion in which the text portion of the fax (58, Fig 4) which includes instructions for handling a response would remain unchanged whether the channel/medium is email or fax.

It is submitted, therefore, that the rejection under 35 USC 103 cannot be applied to the amended independent claims and that the claims define patentable subject matter.

Furthermore, Alam does not disclose or suggest that any such change in information concerns a document associated with the communication, according to claim 36.

Should the question of a new issue arise, it is pointed out that claim 36 originally specified that the information that was automatically changed with a change in medium concerned a document associated with the communication.

Accordingly, it is believed that the application is now in order for allowance and favorable reconsideration of the application is respectfully requested.

It has further to be noted that as the present application has been pending for more than 5 years, an exceptional effort to expedite prosecution would be both appropriate and consistent with long established Patent Office policy.

Respectfully submitted,
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